IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 25TH JUNE 2007 / 4TH ASHADHA 1929

WP(C).No. 19048 of 2007(P)

PETITIONER:

SAIDALAVI KOLAMBIL, S/O. HAMZA HAJI,
VETTICHIRA, PUNNATHALA P.O., MALAPPURAM-676 552.

BY ADV. SRI.U.BALAGANGADHARAN
SRI.SANU S.PANICKER

RESPONDENTS:

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1. THE COMMISSIONER OF ENTRANCE
EXAMINATIONS, GOVERNMENT OF KERALA,
TRIVANDRUM-695 001.

2. THE STATE OF KERALA, REPRESENTED BY
THE CHIEF SECRETARY, GOVERNMENT SECRETARIAT,
TRIVANDRUM-695 001.

BY GOVERNMENT PLEADER SRI. I.V. PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

W.P.(C)NO.19048 OF 2007

DATED THIS THE 25th DAY OF JUNE, 2007

JUDGMENT

The petitioner is a student, who applied for B. Pharm (Lateral Entry) Course. He claims to be the first rank holder in the entrance examination. He alleges that on account of the fact that the dates of counselling was not published in the website of the 1st respondent he was not made aware of the dates, consequent to which he was unable to participate in the counselling. The petitioner came to know about the counselling only on the date of the counselling and the petitioner, therefore, filed Ext.P5 fax message. The petitioner now seeks the following relief.

> "i. Issue a writ of mandamus or any other appropriate writ or order or direction, commanding the first respondent to admit the petitioner to B.Pharm Course 2006 in the second year by Lateral Entry against the merit quota."

2. The learned Government pleader on instructions submits that although the dates have not been published in the website, the same has been given sufficient publicity by press release in all the newspapers. The learned Government pleader points out that the petitioner himself produced Ext.P4 press cutting in the 'Mathrubhoomi'

and in another case, another student has produced press cutting in 'Malayala Manorama'. He further submits that there is no requirement or stipulation that the dates of counselling would be notified in the website. The learned Government pleader further submits that the admissions to the Government College seats are already over and no seats are vacant now.

3. The learned counsel for the petitioner points out that the counselling is still in progress and seeks a direction to permit him to participate in the same. The learned Government pleader submits that it is only in respect of seats in the Self Financing Colleges.

4. After hearing both sides, I am not satisfied that because the dates of counselling have not been published in the website, the admissions already made should be interfered with. However, taking a lenient view, I direct the 1st respondent to allow the petitioner to participate in the counselling, without affecting any of the students, who have already obtained admission, to any seat that may still be vacant.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

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